

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

ELIZEE EUGENE,

Plaintiff,

v.

Case No. 18-CV-719-JPS

CORPORATION OF THE  
PRESIDENT OF THE CHURCH OF  
JESUS CHRIST OF LATTER-DAY  
SAINTS, RONALD STODDARD,  
UNKNOWN LDS MEMBERS, and  
WISCONSIN CORPORATION  
SERVICE COMPANY,

Defendants.

**ORDER**

On May 7, 2018, the plaintiff, Elizee Eugene (“Eugene”), filed a *pro se* complaint alleging that he was forcibly baptized in Florida by missionaries of the Church of Jesus Christ of Latter-Day Saints (“LDS”), that LDS missionaries “forced a brain connection on him” that required “decapitation,” and that defendant Ronald Stoddard hired a hit man to threaten Eugene to join the LDS church while Eugene attended school in Utah. (Docket #1).

The case was initially assigned to Magistrate Judge William E. Duffin, who reviewed Eugene’s complaint and determined that it should be dismissed. (Docket #2). Because not all parties have had the opportunity to consent to magistrate judge jurisdiction, Magistrate Duffin prepared a recommendation for dismissal and the case was reassigned to a District Judge for consideration of that recommendation. *Id.* Eugene filed an objection to Magistrate Duffin’s recommendation. (Docket #3).

Magistrate Duffin recommends that this case be dismissed for three reasons. First, the complaint contains no allegations with respect to defendant Wisconsin Corporation Service Company. (Docket #2 at 2). Eugene concedes this is true. (Docket #5). Therefore, at the least, Wisconsin Corporation Service Company must be dismissed.

Second, aside from the fact that Eugene lives in Milwaukee, the allegations of his complaint have no apparent connection to this district; the events are alleged to have occurred in Florida and Utah. (Docket #2 at 2). Therefore, Magistrate Duffin concludes, venue in this district is not proper. *Id.* (citing 28 U.S.C. § 1391). In his objection, Eugene claims that his membership in LDS was “transferred to one of the ward (church) in Milwaukee” and therefore venue is proper here. (Docket #3 at 4). Ultimately, the Court need not decide whether this district is the proper venue for this action because dismissal of this entire action is appropriate for the third reason Magistrate Duffin presents in his recommendation.

That is, dismissal of this case is appropriate because “the allegations that form the basis for Eugene’s complaint are not just implausible but are the sort of ‘fanciful,’ ‘fantastic’ and ‘delusional’ claims that can be described only as frivolous.” (Docket #2 at 3 citing *Denton v. Hernandez*, 504 U.S. 25, 33 (1992)). District courts are empowered to *sua sponte* dismiss “frivolous or transparently defective suits,” such as this one, “and thus save everyone time and legal expense.” *Hoskins v. Poelstra*, 320 F.3d 761, 763 (7th Cir. 2003). This is so even when the plaintiff has paid the filing fee (as Eugene did). *Id.* This lawsuit clearly falls within the category of the fantastic and delusional. If Eugene had actually been decapitated by the defendants as he claims he was, he would not be alive to file this lawsuit.

Magistrate Duffin's recommendation for dismissal will be adopted and this case will be dismissed. Because no amendment on Eugene's part could possibly save his complaint, the dismissal will be with prejudice. *See Bogie v. Rosenberg*, 705 F.3d 603, 608 (7th Cir. 2013) ("Leave to amend need not be granted . . . if it is clear that any amendment would be futile.").

Accordingly,

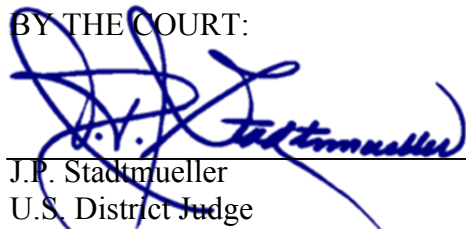
**IT IS ORDERED** that Magistrate Judge William E. Duffin's report and recommendation (Docket #2) be and the same is hereby **ADOPTED**; and

**IT IS FURTHER ORDERED** that this action be and the same is hereby **DISMISSED with prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 29th day of May, 2018.

BY THE COURT:



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J.P. Stadtmueller  
U.S. District Judge